

CORINNA TOWNSHIP  
MINUTES  
BOARD OF ADJUSTMENT / PLANNING AND ZONING COMMISSION  
July 14, 2020  
7:00 PM

Niklaus called meeting to order at 7:00pm on July 14, 2020

Board of Adjustment/Planning Commission Members Present: Larry Smith, Steve Niklaus, Barry Schultz, Bill Arendt, Ben Oleson (Zoning Administrator)

Absent: Dick Naaktgeboren & Al Guck

Others in Attendance: David Glass, Patty Glass, Troy Johnson, Lisa Hjort, Daniel Hjort, Terry Hjort, Rick & Sandy Miller, Larry & Karen Christen, John Skoog

Additions or Deletions to the Agenda: Smith made a motion to approve the agenda. Schultz seconded the motion. Motion approved unanimously.

Public Hearings

(Tabled from April meeting) Requests related to the construction of a 9' x 18.5' breezeway and 28' x 28' attached garage addition to an existing home. Approvals required include variances to construct a garage addition approx. 6 feet from a septic drainfield (min. 20 ft required), to increase building coverage to approx. 15.2% (max. 15% allowed) and to increase impervious surface coverage from approx. 30% to 34% (maximum 25% allowed).

Applicant: Richard and Sandra Miller  
Property address: 9505 110<sup>th</sup> St NW, Annandale  
Sec/Twp/Range: 9-121-27  
Parcel number(s): 206000091200

**Present:** Richard & Sandra Miller

**Miller:** At this time we have not been able to purchase the extra land. However, we want to make sure that the septic portion of the variance would be approved so that if we do purchase the land we can go ahead and build. Bernie Miller did indicate that he did not see an issue with it being 6ft away.

**Oleson:** The reason for the variance is the drainfield being at 6ft where 20ft is required, to increase the building coverage to approx. 15.2% and impervious above 25%. If they were able to purchase some land then the only variance would be for the septic. You could approve the septic and deny the impervious and building coverage.

**Audience:** None

**Smith:** I think it makes since, I have no issue with the septic variance if they are meeting the impervious and building the coverage.

**Schultz:** I am good with it with the septic.

**Niklaus:** I'm ok with it.

**Arendt:** I am ok with the septic variance.

Smith made a motion to approve the variance to construct a garage addition approx. 6 feet from a septic drainfield (min. 20 ft required) and deny the request to increase the building coverage to approx. 15.2% (max. 15% allowed) and to increase impervious surface coverage from approx. 26% to 34% (maximum 25% allowed).

Arendt seconded the motion. Motion approved unanimously.

(Tabled from June meeting) Requests related to the construction of a dwelling. Approvals required include a variance to construct a larger dwelling than what currently exists approximately 53.9 feet from Bass Lake (min. 75 ft required) and which is served by a holding tank (drainfield required).

Applicant: Harold and Cheryl Biel

Property address: 10592 120<sup>th</sup> Street NW, Annandale

Sec/Twp/Range: 5-121-27

Parcel number(s): 206000052102 and 206000052103

Withdrawn

Requests relating to the construction of a detached garage. Approvals required include variances to construct an 800 sq ft detached garage approx. 52 feet from the centerline of Isaak Ave and 56 feet from the centerline of Irvine Ave (min. 65 ft required).

Applicant: Lisa Hjort

Property address: 8260 Isaak Ave NW, Annandale

Sec/Twp/Range: 22-121-27

Parcel number(s): 206055001010

**Present:** Lisa Hjort and Terry Hjort

**Hjort:** This is regarding a previous variance that was approved for both road setbacks. I am now changing the location.

**Oleson:** We are talking about the back lot, they previous applied for one location, they are back to see about moving it over. It will improve the impervious coverage. The one concern last time was the drainage issue and this new location should give it more time to drain.

**Audience:** None

**Arendt:** My question is the door?

**Hjort:** It will be an 18ft door facing Irvine, with a smaller door facing Isaak.

**Arendt:** I'm good with it.

**Schultz:** I'm good.

**Smith:** I feel this is a better plan.

**Niklaus:** I think it is a good plan.

Arendt made a motion based of the findings of fact to build a 800 sq ft garage approx. 52 ft from the centerline of Isaak Ave and 56 feet from the centerline of Irvine Ave with the following conditions.

1. That the applicant directs all water from the roof of the garage and from the driveway areas in a manner which allows for maximum reasonable infiltration without negatively affecting the lake or neighboring properties. A plan shall be submitted to the Zoning Administrator for review and approval prior to issuance of a building permit.

2. Building and impervious coverage on the lot must be compliant with the requirements of the Land Use Ordinance (15% max for buildings, 25% maximum for total impervious).
3. Erosion and sedimentation control measures must be installed and maintained until the construction areas have been stabilized. These shall include at a minimum silt fences between any areas of disturbance (if there will be any) and the lake as well as to any neighboring properties which are downslope of the disturbed areas. Once disturbed areas are no longer being used for construction purposes, these shall be covered with mulch, erosion control blankets, hydroseed or other forms of temporary cover until vegetation is re-established.

Smith seconded the motion. Motion passed unanimously.

Requests relating to the construction of a detached garage. Approvals required include variances to construct an approx. 11' x 26' detached garage 2 feet from a side lot line (min. 10 feet required) and 16 feet from an existing septic drainfield (min. 20 feet required).

Applicant: Mark Ertl and Martha Hurr-Ertl  
Property address: 11543 Gulden Ave NW, Maple Lake  
Sec/Twp/Range: 1-121-27  
Parcel number(s): 206085000310 and 206000012304

**Present:** Mark Ertl

**Oleson:** Want to confirm that you want to table until next month?

**Ertl:** Yes

**Oleson:** The reason to table is to see if they can build without a variance.

Smith make a motion to table the request. Arendt seconded the motion. Motion passed unanimously.

Requests relating to the construction of a replacement dwelling. Approvals required include variances to construct an approx. 28' x 48' two story dwelling to replace an existing dwelling approx. 43 feet from Cedar Lake (min. 75 feet required) and approx. 9 and 10 feet from the side lot lines (min. 15 ft required), and a septic system approx. 1 and 4 feet from a side lot line and 9 feet from a road right-of-way (min. 10 ft required).

Applicant: David Glass  
Property address: 7289 Ingram Ave NW, Maple Lake  
Sec/Twp/Range: 27-121-27  
Parcel number(s): 206065000020

**Present:** David Glass, Patty Glass, Al Evavold

**Glass:** We want to replace the existing cabin it is close on the neighbors & close to lake. We want to move it to the south and further from the lake. We want to put in a drainfield, the shed would be removed and the gutters on the new home will run underground to a rain garden to a current holding tank. We are less than 15 ft from our two neighbors so we would be right in the middle of the two. The house is vaulted in the front and second story to the back.

**Oleson:** You are not asking for a lake side deck? Just so you understand that if you are not requesting now, it would have to be a request at a later date.

**Glass:** We are not looking for any deck or porch to the front and we have side doors.

**Audience: Larry & Karen Christian:** We are to the north, we are in the same boat as they are and just have questions on the lot size and the setback to the septic tank. Is there a setback from septic tank to another septic tank?

**Oleson:** Drain field and tanks need to be 10ft from the property line. There is not a requirement between tanks.

**Christian:** Just want to confirm that it will not affect us if we need to do a new septic

**Oleson:** It will not affect you as you need to be 10ft from the property line and you would have to have a variance to go closer than 10ft.

**Christian:** We are not opposed to the request.

**Oleson:** We have the lake setback, setback from the tanks and drainfield to the property line and the road right of way, there was possibly a side yard setback, however, when I got the revised it was ok.

**Schultz:** I'm not sure what else you can do. I like that you are moving further back.

**Smith:** I would like to see if we could get at least 5 ft from the side yard if at all possible for the septic.

**Evavold:** We want some separation from the driveway to make sure that we are not driving on the drain field.

**Smith:** It is narrow. There is not a lot of room.

**Arendt:** Your shed is going to be gone, any garage?

**Glass:** Shed is gone and no garage.

**Arendt:** The drawings for the new house is approximate?

**Evavold:** The foot print will stay the same.

**Arendt:** I am fine with it.

**Niklaus:** It is a two story?

**Glass:** Two story on the back side.

**Oleson:** There are people behind them, however, there are other houses that are two story and trees.

**Niklaus:** I think you have done a good job on making it work. I am fine with it.

Arendt made a motion to approve Variance to construct an approx. 28' x 54' two story dwelling to replace an existing dwelling approx. 42.7 feet from Cedar Lake, and approx. 10 feet from the north side lot line, and a septic system approx. 1.5 and 4 feet (drainfield and tanks, respectively) from a side lot line and 9 feet from a road right-of-way based on findings of fact with the following conditions:

1. Erosion and sedimentation control measures must be installed and maintained until the construction areas have been stabilized. These shall include at a minimum silt fences between any areas of disturbance (if there will be any) and the lake as well as to any neighboring properties which are downslope of the disturbed areas. Once disturbed areas are no longer being used for construction purposes, these shall be covered with mulch, erosion control blankets, hydroseed or other forms of temporary cover until vegetation is re-established.
2. The applicant shall submit a permanent stormwater management plan designed to minimize the potential for ongoing erosion or sedimentation and to allow adequate time for infiltration or other treatment of rainwater from the lot prior to it flowing into the lake, wetlands, road right-of-way or onto adjoining properties. These may include directing rain gutters to appropriate areas, rain barrels, establishing or maintaining a buffer of native vegetation along the shoreline, or other acceptable best management

practices. Once approved, the plan should be implemented at the time of construction or within a reasonable time period after construction is completed and maintained indefinitely.

Schultz seconded the motion. Motion approved unanimously.

Requests relating to the construction of a dwelling and attached garage. Approvals required include variances to construct a dwelling and attached garage approx. 81 ft from Mink Lake (min. 100 ft required), 56.2 feet from the centerline of a township road (min. 65 ft required) and 19.9 feet from the road right-of-way.

Applicant: Mitchell and Kristen Cayler

Property address: 8055 Greer Ave NW, Maple Lake

Sec/Twp/Range: 24-121-27

Parcel number(s): 206000244302

**Present:** Mitchel & Kristen Cayler

**Cayler:** We bought the property and we would like to build a two story w/ a walk out basement. In June of 2018 the variance was approved for the setbacks, however, we would like to do a two story instead of a one story that was approved.

**Audience:** None

**Oleson:** This is pretty close to the same site plan from that was approved previously. The difference is the entryway is just under 20ft from the right away. That does not make much of a difference and the other change is the two story. The land behind them is a field and there are some other two stories in the area.

**Audience:** None

**Smith:** I am ok with the two story.

**Schultz:** I'm am ok.

**Arendt:** I am fine with it.

**Niklaus:** I am good with it.

Schultz made a motion to approve the variance to construct a dwelling and attached garage approx. 81 ft from Mink Lake, 56.2 feet from the centerline of a township road and 19.9 feet from the road right-of-way based on the findings of fact with the following conditions:

1. Erosion and sedimentation control measures must be installed and maintained until the construction areas have been stabilized. These shall include at a minimum silt fences between any areas of disturbance (if there will be any) and the lake as well as to any neighboring properties which are downslope of the disturbed areas. Once disturbed areas are no longer being used for construction purposes, these shall be covered with mulch, erosion control blankets, hydroseed or other forms of temporary cover until vegetation is re-established.
2. The applicant shall submit a permanent stormwater management plan designed to minimize the potential for ongoing erosion or sedimentation and to allow adequate time for infiltration or other treatment of rainwater from the lot prior to it flowing into the lake. These may include directing rain gutters to appropriate areas, rain barrels, establishing or maintaining a buffer of native vegetation along the shoreline, or other acceptable best management practices. Once approved, the plan should be implemented

at the time of construction or within a reasonable time period after construction is completed and maintained indefinitely.

Arendt seconded the motion. Motion approved unanimously.

Requests related to moving a used garage onto a property. Approvals required include a conditional use permit to relocate a building in a residential area.

Applicant: Wayne Dearing

Property address: 8910 Ingram Ave NW, Annandale

Sec/Twp/Range: 22-121-27

Parcel number(s): 206023001110

**Present:** Wayne Dearing

**Dearing:** I am proposing to move a 22x20 garage to my property. To the back northerly property. 10.6 ft off the property line, and 20ft from the septic system. No driveway just grass with a 2ft apron.

**Oleson:** Pictures of the garage, no setback issues, and it will be 20ft off the drain field. What we talked about is the foundation area and he could move less than the 50-cu ft, no drainage to the neighbors. Reason for the CUP is because it is an existing building, the idea is that when you are moving an existing building you are making sure it fits into the neighborhood.

**Audience:** None

**Arendt:** I am ok with it

**Schultz:** I'm good

**Smith:** I am good with it

Smith made a motion to approve Conditional use permit to relocate a building in a residential area based on the findings of fact. Arendt seconded the motion. Motion approved unanimously.

(Tabled from June meeting) Requests related to the construction of a detached storage building. Approvals required include a variance to construct a 24' x 30' garage approximately 2 feet from a side lot line (min. 10 feet required), 38 feet from the centerline of a township road (min. 65 ft required) and 11.5 feet from a road right-of-way (min. 20 feet required).

Applicant: John and Vicky Skoog

Property address: 10794 Gulden Ave NW, Maple Lake

Sec/Twp/Range: 12-121-27

Parcel number(s): 206046000070

**Present:** John Skoog

**Skoog:** I believe we did what you are asking for.

**Oleson:** The revised plan is 25 ft from the north end of the right of way and 8ft from the east end of right of way.

**Skoog:** We centered it on the lot which is what you asked and shortened by 4 ft to get further from the road. It drops off on the back, so I would put in footings in and a wall and put in a retaining wall the gutters would run towards the road.

**Oleson:** Road setback of 25 ft from the right of way and 45 feet from the center line. Since they are in a cul-de-sac they need to be 25 from center. They would be 7-8ft to the cul-de-sac on the

one side. Then we have the lake setback being closer than 100ft. Back side of the garage is 72 ft from the lake.

**Smith:** So this is more of a centerline and right of way setback not side yard correct?

**Oleson:** Yes, there is just one side yard on the west of 8ft.

**Schultz:** I guess I am for it, you downsized as we requested and centered the garage.

**Smith:** You did what we had asked and did your best to get it done.

**Arendt:** I am good with it and you moved it further from the property line.

Arendt made a motion to approve variances to construct a 24' x 24' garage approximately 72 feet from Indian Lake, 8 feet from the side (west) lot line, 45 feet from the (north) centerline of a township road, and 8 feet (east) and 25 feet (north) from a road right-of-way based on the findings of fact with the following conditions:

1. Erosion and sedimentation control measures must be installed and maintained until the construction areas have been stabilized. These shall include at a minimum silt fences between any areas of disturbance (if there will be any) and the lake as well as to any neighboring properties which are downslope of the disturbed areas. Once disturbed areas are no longer being used for construction purposes, these shall be covered with mulch, erosion control blankets, hydroseed or other forms of temporary cover until vegetation is re-established.
2. The applicant shall submit a permanent stormwater management plan designed to minimize the potential for ongoing erosion or sedimentation and to allow adequate time for infiltration or other treatment of rainwater from the lot prior to it flowing into the lake, wetlands, road right-of-way or onto adjoining properties. These may include directing rain gutters to appropriate areas, rain barrels, establishing or maintaining a buffer of native vegetation along the shoreline, or other acceptable best management practices. Once approved, the plan should be implemented at the time of construction or within a reasonable time period after construction is completed and maintained indefinitely.

Smith seconded the motion. Motion passed unanimously.

Schultz made a motion to approve the May 12<sup>th</sup> & June 9<sup>th</sup>, 2020 meeting minutes. Smith seconded the motion. Motion approved unanimously.

#### Zoning Administrator's Report

Permits; none

Correspondence

Enforcement Actions

Findings of Fact - Previous PC/BOA Decisions; none

#### Other Business;

**Troy:** Went to Authority Fence in Clearwater to put a fence up on my property line by the lake and want to confirm what can be done and would also like to know what the rules are for opening up an Air B & B on the lake that is why I want to get a fence up.

**Smith:** We have some ordinances and requirements, we just started this this year.

**Oleson:** The issue is you wanted it to go all the way to the lake, and the requirement is to be 75ft from the lake. The reason is to not block the view for others. This has been something we have talked about in the past. I have talked with authority fence and you can have shrubs and trees without a permit, if they over hang onto the neighbors they could trim them. You could possibly do a low fence but not a 6ft fence down to the lake. (Oleson went over the vacation rental ordinance)

**Oleson:** We have two lots on sunset point that we talked about last month that is proposed for redevelopment. There are two cabins, a garage with guest room and a boat house with guest room. They are looking at tearing the two cabins and possibly the garage and building a new house in the middle. They are working with Bernie Miller to make sure they can get a sewer on the property. What they are looking for is do you feel this is possible. We talked about lowest floor and that does not seem to be an issue. They also mentioned the possibility of building a garage in the hill and did mention that would also need a variance. The septic does need to meet the 50ft setback and that would possibly need a variance or need to be longer rather than wider. They do have a preliminary plan as to where they would put the house. (Oleson pulled up the preliminary plan) There was discussion about the size of the home, having the septic system upgraded etc. **Schultz:** My thought is it would be improving the area and would like to see a regular septic and removal of the holding tanks. **Smith:** My main concern would be during construction and making sure there was no erosion. **Oleson:** They have not formally applied so you cannot give a decision, but wanted to get your thoughts on if it is a reasonable request. **Smith:** A septic is a must otherwise I think we can with them if staying out of the shore impact zone.

**Oleson:** 11239 Lawrence - Authority fencing, they would like to put one up to block some of the items in the neighbor's yard. I did look at some of our past talked about when the house is not blocking the view. So if not blocking the view can we split the difference if it was between 75ft and 35ft? We talked chain link is not blocking view. I do not know if we can change the ordinance which states you cannot block the view, the question is what is blocking the view. **Smith:** I am good with chain, I do not like a solid 4ft fence and feel that is blocking the view. Board felt he needs to stay at least 55ft from the lake.

Lake association new letters,

**Oleson:** Mike Mack variance, there was talk of the septic system getting updated as one of the conditions. My understanding is that it meets Wright County standards since it is in compliance. I did check with Scott Decker at Wright County and he is confident it is compliant and is ok with it. Board felt that they are good with septic if the county is.

**Oleson:** Schuler solar farm, 10-12 of the trees are brown. I will let them know about getting them replaced.

Smith made a motion to Adjourn. Schultz seconded the motion. Motion passed unanimously at 8:52pm.

Prepared by Jean Just